

CITY COUNCIL MINUTES
March 26, 2007
REGULAR SESSION

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, March 26, 2007 at 6:00 p.m. following a 5:30 Closed Session with Mayor Robert Snyder presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER
ROLL CALL:

Council Members Present: J. M. Holmes, Kevin Hanley, Keith Nesbitt, Bridgett Powers, Bob Snyder

Council Members Absent: None

Staff Members Present: City Manager Robert Richardson, City Attorney Michael Colantuono, Community Development Director Will Wong, Police Chief Valerie Harris, Fire Chief Mark D'Ambrogi, Senior Planner Reg Murray, Assistant Planner Steve Geiger, Administrative Services Director Andy Heath, Public Works Director Jack Warren

By **MOTION** adjourn to a closed session under Government Code Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: David Mackowiak, Robert Richardson
Employee Organizations: Police Officers Association

REPORT OUT OF CLOSED SESSION

No reportable action.

PLEDGE OF ALLEGIANCE

**MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/
ANNOUNCEMENTS**

Mayor Bob Snyder introduced California Assemblyman Ted Gaines. Assemblyman Gaines outlined some of the activity of the Legislature. He stated that he wanted to make certain that he had "open lines of communications" with all his jurisdictions throughout his district.

Council Member Nesbitt presented the Proclamation for Child Abuse Prevention Month to Tilisa May, Site Manager for the Auburn Family Resource Center.

Council Member Nesbitt present the Proclamation for National Boys & Girls Club Week to Mike Buttrum, Teenage Youth of the Year.

Mayor Snyder announced that the DeWitt Theater is trying to find a concert grand piano that can be donated to the group.

AGENDA APPROVAL

No changes were requested.

CONSENT CALENDAR

1. **Warrants**

By **RESOLUTION 07-35** approve Warrants # 65516 through 66033 totaling \$2,361,804.06.

2. **Council Minutes**

By **MOTION** approve City Council Minutes of February 26, 2007.

3. **Auburn Park Preserve Phase 2, Amendment No. 7**

By **RESOLUTION 07-36** authorize the Director of Public Works to execute Amendment No. 7 to compensate Royston, Hanamoto, Abbey and Alley for services provided for the Auburn Park Preserve Phase 2 in an amount not to exceed \$25,000.

***** End of Consent Agenda *****

By **MOTION** approve the consent agenda. **MOTION: Hanley/Holmes/**
Approved 5:0

4. **Public Comment**

Gordon Ainsleigh, Meadow Vista Resident, Auburn Recreation District (ARD) Board Member, stated that he was speaking for himself and not ARD. He suggested that additional recreation resources be developed. He asked the Council for a resolution to urge the county to utilize three weekends per summer for bungee jumpers from the Forest Hill Bridge. He suggested it be called "Bridge Days."

Ainsleigh also suggested that the Council provide a resolution to the State Parks and the Bureau of Reclamation to include rock climbing as a permissible sport.

Council Member Nesbitt urged staff to consider stronger enforcement at the Skate Park regarding drug abuse and noise.

REPORTS

5. **Planning Commission Consensus Memo Regarding Priority Planning Issues**

Senior Planner Reg Murray introduced the item. The Planning Commission reviewed its priorities and has provided to the Council the memo included in the agenda packet. Signs were selected as the Commission's primary issue. Council will be asked to provide direction to the Planning Commission, most likely during the upcoming budget cycle.

Council questions and discussion followed regarding priorities and the process involved with various items.

Planning Commission Chair Ray Merz reiterated that a top priority issue with the Commission is the sign ordinance. He stated that the Commission has made no endorsement of any plan at this point. He stated that the Commission did not suggest that a consultant be hired. He added that everything on the list was a consensus item.

6. **Implementation Strategies to Achieve Sacramento Area Council of Governments' (SACOG) Blueprint Project Objectives (2007)**

Community Development Director Will Wong introduced the item. He said the Community Development Department was directed by the Council to compare the city's land use plans with SACOG's Blueprint Project. He stated that SACOG developed seven smart growth principles which were compared to the city's general plan implementation program. He stated that his staff report had some suggestions to encourage more smart growth.

Council discussion and questions followed. This was an informational item with no action required of the Council.

Betty Jensen, 171 Tennis Way, asked for a definition of a "form based code." City Attorney Colantuono explained that it is a set of rules stating how the city wants structures to appear (i.e. porch, yard, set-back, etc.) as opposed merely to how they are used.

Bob Dasaro, 240 Hidden Creek Drive, stated that he and his neighbors want to be a part of the vision and information-gathering for the city. The Mayor agreed and directed Mr. Dasaro to the SACOG website.

7. **City Council Committee Reports**

Item moved to end of agenda.

COUNCIL BUSINESS

8. **Issuance of Letter of Intent to Participate in New Animal Services Shelter**

City Manager Robert Richardson introduced the item. He stated that there have been ongoing discussions with Placer County and its cities regarding animal control services and facilities. He stated that staff has taken it as far as it can and that the Council now needs to become involved. He advised that the county would like a letter of intent from the city to continue discussion and draft an MOU to create a partnership. He introduced Assistant County Executive Officer Holly Heinzen. She introduced Chief Animal Control Officer Mike Winters and Assistant Director of Health and Human Services Dr. Jim Ganley and Supervising Animal Control Officer Tim Gothen from Placer County.

Holly Heinzen outlined the county animal control services to the Council. She explained that the County Board of Supervisors authorized staff to confirm city participation in new shelter services, commence site selection and begin program design for South Placer and Auburn. She said this is the time for the city partners to engage in the process. She advised that the Board of Supervisors has also adopted an Animal Services Facilities Impact Fee into the existing Capital Facilities Impact Fee Program. Most cities have already adopted the overall Capital Facilities Fee Program.

Dr. Ganley explained to the Council how the city would benefit to be a participant in the city-county animal services shelter. He said that they want to build a shelter in the south county and then replace the Auburn shelter. He introduced a number of initiatives that the county has deployed within the past twelve months. Some of those initiatives were a new software program, lap tops in the trucks, a new barn, grants to spay and neuter clinics, animal rescue services and the hiring of new personnel. He described why the old building is in need of replacement.

Holly Heinzen elaborated on the need for a new building. She advised that the County is asking each city that wants to participate for a ten percent initial investment as a good faith commitment. She stated that the Council was not being asked at this time to adopt a Capital Facilities Fee. She

advised that city's participation fee would be about \$133 for a single family residential unit and \$59 for a multi-family residential unit on new development. That would bring the total Capital Facilities Fee to \$18, 051 in most cities with the addition of the animal services component. She asked for formal action of the Council authorizing the City's intention to participate with Placer County in planning and construction of the animal shelters. She explained the estimated costs to the city.

Council discussion and questions followed regarding fees, cities growth issues, current cost to the City of Auburn, Auburn's limited future development, population served, state law requirements for the county, needs assessment, nexus requirements, and the decision to construct a new facility.

Mayor Snyder asked for direction from the Council. Holmes stated that there were too many unknown factors at this time. He asked how much money it will actually cost the City of Auburn. Richardson answered that there is a range from \$650,000 to \$890,000 "with much of that being predicated on the participation of Roseville." He stated that there will additional calculations, but at this time Council authorization is necessary to move ahead to actual negotiations. The results of the negotiations would be brought to the Council for its ultimate consideration. Colantuono explained that this action would not be a "binding contractual commitment."

Hanley questioned whether participation in the county plan or continuing the current method that the city employs would be best for Auburn. Richardson advised that the question would really be acceptance of the new program or Auburn operating entirely on its own. He stated that would require the acquisition of land, a facility and the staffing of that facility. Colantuono advised that animal control is a city responsibility and there are mandates that apply.

Holmes asked that the item be considered again, stating that he was not prepared to vote for a letter of intent at this point.

Hanley stated that he was willing to support the letter of intent and to get further details and authorize the City Manager to negotiate with the county on the issue. He advised that when the City Manager returns to the Council with all the details, Hanley will be interested in the alternate scenarios.

Nesbitt stated that he concurred with Holmes. He stated that his worry was that the cost of the second structure may end up costing substantially more at some point. He stated that he is concerned with the amount of money that would have to come from the city's general fund.

Powers asked for confirmation of the 2010 construction date of the South Placer facility. She stated that she agreed with Hanley in that it is probably a good idea for the city to be involved in the planning and commit to the letter of intent.

Mayor Snyder that he has confidence in the process, but wants to be certain that there is a consensus that the city wants to be a participant.

Hanley stated that he was unwilling to make a firm commitment until he sees the MOU and all the details of what is entailed. However, he said he was willing to authorize the City Manager to negotiate further and have him keep the council informed.

By **MOTION** table the item for two weeks so that questions can be answered in an effort to achieve a full consensus of the Council in the affirmative. **MOTION: Snyder/Nesbitt/Approved: 3:2 (No Hanley, Powers)**

The item will be brought back to the Council in two weeks.

RECESS: 8:26 p.m. to 8:31 p.m.

9. **Letter of Support for the Boys & Girls Club**

City Manager Richardson introduced the item. He stated that Boys & Girls Club had requested a letter of support from the Council to the Bureau of Reclamation. He advised that the Boys & Girls Club would like to build a new facility at the dam overlook site. They also structured an agreement with the Western Trails Association for joint use of the property that would benefit both parties.

Holmes suggested that the letter of support be approved. He advised that he previously sent a letter to Senator Boxer's office and another letter will be hand-carried to Congressman Doolittle's office within the week. Council discussion followed.

Mike Pickett, Board Member Western States Trail Foundation, current treasurer and immediate past-president, stated that they had met with the Boys & Girls Club. He stated that Foundation's concern was its interest in the parcel next to the Bekin's property for overflow parking and a staging area.

Ray Merz, 123 Hidden Circle, Auburn, Boys & Girls Club Board of Directors Member, thanked the City for its support for the Boys & Girls Club.

Curtis Smith, 200 Pacific Avenue, stated that he serves on the ARD Board but was not speaking in that capacity. He wanted to clarify that the Council is being asked to support the Boys & Girls Club proposal to build a permanent facility somewhere in the leased area.

Gordon Ainsleigh, ARD Board Member, stated that he, too, was not speaking on behalf of the board. He stated that he felt the proposed locations were inappropriate. He stated it threatened the Tevis Cup overflow area. He felt a building should not obstruct the view of the canyon. The third area of interest was previously proposed for a soccer area. He, therefore, opposed the entire area for a Boys & Girls Club facility.

Council discussion followed. Hanley confirmed that the item has not gone before the Auburn Recreation District (ARD) Board. Therefore, he thought it was premature that the Council issues a letter of support at this time. Nesbitt concurred with Hanley. Holmes agreed. Snyder said he had personally identified the area as significant to the future of Auburn in terms of recreation and should be carefully considered before any decisions are made by the Council.

By **MOTION** table the item until additional information is received from the Auburn Recreation District. **MOTION: Powers/Hanley/Approved by Voice**

10. **Auburn Recreation District Quimby Act Funds Release**

Administrative Services Director Andy Health introduced the item. He said that the purpose of the item was to authorize the transfer of funds held in the city's park development trust fund to the Auburn Recreation District (ARD). He advised that they are Quimby Act Funds, received for park development fees in the city. He said that included in the item was a proposed project schedule and a fiscal year 2005-2006 audit that was recently completed for ARD. Auburn Recreation District Administrator stated that ARD is moving along with the projects identified for this fiscal year.

Council questions and discussion followed regarding project costs, the Quimby Act monies in reserve and park lighting.

By **RESOLUTION 07-37** approve the transfer of \$61,913.35 held in the City's Recreation Park Development Trust Fund to the Auburn Recreation District to be used towards applicable park projects consistent with the Memorandum of Understanding between the City of Auburn and the Auburn Recreation District. **MOTION: Nesbitt/Hanley/Approved 5:0**

11. **General Plan Implementation Work Plan (2007 Report)**

Senior Planner Reg Murray introduced the item. He advised that the state requires an annual update of Implementation Work Plan which staff has prepared for Council review prior to submittal.

Council questions and discussion followed. Nesbitt asked about the Hillside Development Ordinance, energy conservation requirements, seminar with Chamber of Commerce, and inventory of historic sites.

By **MOTION** adopt the 2007 Annual General Plan Implementation Work Plan and direct staff to submit the plan to the State office of Planning and Development and the State Department of Housing and Community Development. **MOTION: Hanley/Nesbitt/Approved by Voice**

12. **Annual Housing Element Progress Report (2006)**

Senior Planner Murray said that one of the components of the Implementation Plan regards the housing element. Like the Implementation Plan, there is a requirement to prepare an update on implementation of the city's housing element for submittal to the state.

Holmes asked what progress has been made in the annual progress report. Murray stated that the city hired housing consultants. An initial meeting with the housing consultants was held culminating with the intent to get the Planning Commission, the City Council and community aware of some of the issues that will be brought to the fore in the coming months. A draft ordinance has been developed. A schedule of activities to address the items in the housing implementation plan that can be brought to the Planning Commission and the City Council has been developed. Murray added that there had also been discussions relative to the Blocker Property.

Holmes asked if we had increased housing in any substantial way. Murray answered that in the staff report reflects what has been developed within the city compared to SACOG's target numbers.

Hanley stated that he thought the consultant would help implement the action items in the housing element. He said that at an Affordable housing workshop, the consultant advised that if the city does not act on its implementation plan, the city will not qualify for state funds. Hanley stated that it was a concern of his.

By **MOTION** adopt the 2006 Annual Housing Element Progress Report and direct staff to submit the report to the State Office of Planning and

Development and the State Department of Housing and Community Development. **MOTION: Nesibtt/Hanley/Approved by Voice**

7. **City Council Committee Reports**

Holmes reported that the first meeting of the Youth Advisory Commission was held with only one commissioner absent. He also advised that the Placer County Air Pollution District Grant deadline was the March 9th. He said that he had not heard from staff as to how many were submitted and would be interested in getting that information. He said that on Friday he would be attending a League of California Cities Transportation, Communication and Public Works Policy Committee Meeting and will report back to the Council at its next meeting.

Nesbitt stated that he has met twice with the Auburn-Placer Performing Arts Center group. That group has established some priorities as to what they want to accomplish. He asked the public for any old pictures of the State Theater that have not been printed in the Auburn Journal.

Snyder advised that the Mosquito Abatement District has hired a new executive director.

ADJOURNMENT

Mayor Snyder, without objection, adjourned the meeting at 9:15 p.m.

Robert Snyder, Mayor

Joseph G. R. Labrie, City Clerk

Minutes transcribed by Deputy City Clerk Anne M. Cooley